

Conference Engrossed

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 247

HOUSE BILL 2207

AN ACT

AMENDING SECTIONS 28-947 AND 28-954, ARIZONA REVISED STATUTES; RELATING TO
VEHICLE EQUIPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 28-947, Arizona Revised Statutes, is amended to read:

28-947. Special restrictions on lamps

A. A person shall direct a lighted lamp or illuminating device on a motor vehicle, other than a head lamp, spot lamp, auxiliary lamp or flashing front direction signal, that projects a beam of light of an intensity greater than three hundred candlepower so that no part of the beam strikes the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

B. A person shall not drive or move a vehicle or equipment on a highway with a lamp or device on the vehicle that is capable of displaying a red or red and blue light or lens visible from directly in front of the center of the vehicle. Lights visible from the front of a vehicle shall be amber or white. This section does not apply to EITHER OF THE FOLLOWING:

1. An authorized emergency vehicle or a vehicle on which a red or red and blue light or lens visible from the front is expressly authorized or required by this chapter.

2. A FIRE ENGINE THAT IS SOLELY USED FOR HOBBY OR DISPLAY PURPOSES AND THAT HAS BEEN ISSUED A HISTORIC VEHICLE LICENSE PLATE PURSUANT TO SECTION 28-2484 IF EITHER OF THE FOLLOWING APPLIES:

(a) THE LIGHTS ARE COVERED AND ARE NOT ACTIVATED WHILE A PERSON IS TRANSPORTING OR DRIVING THE VEHICLE TO OR FROM A PARADE, AUTHORIZED ASSEMBLAGE OF HISTORIC VEHICLES OR TEST.

(b) THE LIGHTS ARE ACTIVATED ONLY IN A PARADE, FOR AN AUTHORIZED ASSEMBLAGE OF HISTORIC VEHICLES OR FOR TESTING PURPOSES.

C. Except as provided in subsection D or E of this section, flashing lights on motor vehicles are prohibited except either:

1. On authorized emergency vehicles, school buses or snow removal equipment.

2. As warning lights on disabled or parked vehicles.

3. On a vehicle as a means for indicating a right or left turn.

D. A vehicle may have lamps that may be used to warn the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing. The vehicle may display these lamps as a warning in addition to any other warning signals required by this article. The lamps used to display the warning to the front shall be mounted at the same level and as widely spaced laterally as practicable and shall display simultaneously flashing white or amber lights or any shade of color between white and amber. The lamps used to display the warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable and shall show simultaneously flashing amber or red lights or any shade of color between amber and red. These warning lights shall be visible from a distance of at least one thousand five hundred feet under normal atmospheric conditions at night.

1 E. A person may equip a motorcycle with a means of modulating the
2 intensity of a head lamp beam between the higher and lower brightness at a
3 rate of two hundred to two hundred eighty cycles per minute. A person shall
4 not modulate the head lamp beam during the hours of darkness as prescribed in
5 section 28-922.

6 Sec. 2. Section 28-954, Arizona Revised Statutes, is amended to read:
7 28-954. Horns and warning devices

8 A. A motor vehicle when operated on a highway shall be equipped with a
9 horn that is in good working order and that is capable of emitting sound
10 audible under normal conditions from a distance of at least two hundred
11 feet. Any horn or other warning device shall not emit an unreasonably loud
12 or harsh sound or a whistle.

13 B. If reasonably necessary to ensure the safe operation of a motor
14 vehicle, the driver shall give an audible warning with the driver's horn but
15 shall not otherwise use the horn when on a highway.

16 C. A vehicle shall not be equipped with and a person shall not use on
17 a vehicle a siren, whistle or bell, except as otherwise permitted in this
18 section.

19 D. A vehicle may but is not required to be equipped with a theft alarm
20 signal device that is arranged so that it cannot be used by the driver as an
21 ordinary warning signal.

22 E. An authorized emergency vehicle may be equipped with a siren,
23 whistle or bell that is capable of emitting sound audible under normal
24 conditions from a distance of at least five hundred feet and that is of a
25 type approved by the department. The siren shall not be used except when the
26 vehicle is operated in response to an emergency call or in the immediate
27 pursuit of an actual or suspected violator of the law or when necessary to
28 serve a civil traffic complaint. During these events the driver of the
29 vehicle shall sound the siren when reasonably necessary to warn pedestrians
30 and other drivers of the approach of the emergency vehicle.

31 F. A SIREN SHALL BE ALLOWED ON A FIRE ENGINE THAT IS SOLELY USED FOR
32 HOBBY OR DISPLAY PURPOSES AND THAT HAS BEEN ISSUED A HISTORIC VEHICLE LICENSE
33 PLATE PURSUANT TO SECTION 28-2484 IF EITHER OF THE FOLLOWING APPLIES:

34 1. THE SIREN IS COVERED AND IS NOT ACTIVATED WHILE A PERSON IS
35 TRANSPORTING OR DRIVING THE VEHICLE TO OR FROM A PARADE, AUTHORIZED
36 ASSEMBLAGE OF HISTORIC VEHICLES OR TEST.

37 2. THE SIREN IS ACTIVATED ONLY IN A PARADE, FOR AN AUTHORIZED
38 ASSEMBLAGE OF HISTORIC VEHICLES OR FOR TESTING PURPOSES.

APPROVED BY THE GOVERNOR MAY 4, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 4, 2005.

Passed the House February 14, 2005.

Passed the Senate April 4, 2005.

by the following vote: 59 Ayes,

by the following vote: 28 Ayes,

0 Nays, 1 Not Voting

1 Nays, 1 Not Voting

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House _____, 20____,

by the following vote: _____ Ayes,

_____ Nays, _____ Not Voting

Speaker of the House

Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate April 28, 2005,

by the following vote: 27 Ayes,

2 Nays, 1 Not Voting

Ken Blumenthal
President of the Senate

Charmian Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 28th day of April, 2005

at 3:00 o'clock P. M.

Wendy L. Barra
Secretary to the Governor

Approved this 4 day of

May, 2005,

at 2:50 o'clock P. M.

Jon R. Rasmussen
Governor of Arizona

H.B. 2207

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of May, 2005,

at 4:19 o'clock P. M.

Janice K. Brewer
Secretary of State